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August 10, 2004

**FAX TRANSMISSION COVER SHEET**

To:

Examiner P.T. Lewis  
Art Unit: 1623  
United States Patent and Trademark Office

Telephone:

571-272-0655

Fax Number:

571-273-0655

From:

Lisa A. Haile, J.D., Ph.D.  
Registration No. 38,347

858-677-1466

858-677-1465

PATENT

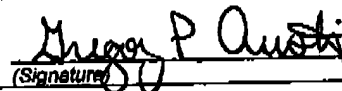
Attorney Docket No.: JHU1710-3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	James E. Hildreth	Art Unit:	1623
Application No.:	09/802,779	Examiner:	P.T. Lewis
Filed:	March 8, 2001	Confirmation No.:	9936
Title:	$\beta$ -CYCLODEXTRIN COMPOSITIONS, AND USE TO PREVENT TRANSMISSION OF SEXUALLY TRANSMITTED DISEASES		

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-0655) on August 10, 2004.

Gregory P. Austin  
(Name of Person Mailing Paper)August 10, 2004  
(Date)Pages: - 58 - (including this form) Originals: ☒ will not be mailed

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Gray Cary/18410529.1  
104668-81

PATENT

Attorney Docket No.: JHU1710-3

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TRANSMITTAL LETTER

Sir:

Transmitted herewith for the above-identified application please find:

1. Information Disclosure Statement (2 pgs.);
2. Form PTO-1449 (1 pg. in duplicate);
3. International Search Report (2 pgs.);
4. Two (2) References; and
5. Return Receipt Postcard.

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Gregory P. Austin (Signature)	August 10, 2004 (Date)

Gray Cary/GT/6410403.1  
104659-61

In re Application of:  
James E. Hildreth  
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Page 2

PATENT  
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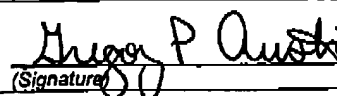
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Gray Cary/GT6410529.1

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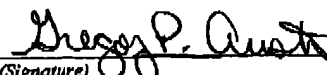
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Gray Cary\GT\6410403.1  
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Respectfully submitted,

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USPTO CUSTOMER NO. 28213

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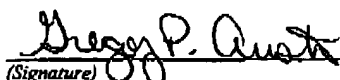
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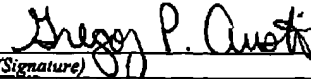
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**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. § 1.97, enclosed are references relating to the above-identified application. For the convenience of the Examiner, the references are listed on the attached Form PTO-1449 and a copy of each reference is enclosed herewith. A copy of the International Search Report listing the references also is enclosed. The remaining reference listed on the International Search Report is not listed on the attached Form PTO-1449 and a copy of the reference is not enclosed because the reference is the U.S. publication of the instant application.

It is respectfully requested that the enclosed references be considered in the examination of this application and their consideration be made of written record in the application file.

CERTIFICATION UNDER 37 CFR §1.8	
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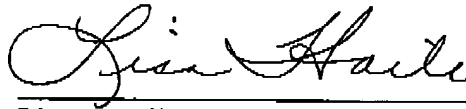
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<b>FORM PTO-1449</b> U.S. Department of Commerce Patent and Trademark Office	Docket No.: JHU1710-3	Application No.: 09/802,779
	Applicants: James E. Hildreth	Confirmation No.: 9936
<b>INFORMATION DISCLOSURE STATEMENT          BY APPLICANT</b>	Filing Date: March 8, 2001	Group Art Unit: 1623

### U.S. PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,100,878 A	03/31/1992	Geber	514	58	05/07/1990
	AB	6,500,460 B1	12/31/2002	Bergeron et al.	424	486	10/20/2000

### FOREIGN PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages)

EXAM. INITIALS		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449

Gray Cary\GT\6410407.1  
104659-61

<b>FORM PTO-1449</b> U.S. Department of Commerce Patent and Trademark Office	Docket No.: JHU1710-3	Application No.: 09/802,779
	Applicants: James E. Hildreth	Confirmation No.: 9936
<b>INFORMATION DISCLOSURE STATEMENT          BY APPLICANT</b>	Filing Date: March 8, 2001	Group Art Unit: 1623

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Form 1449

Gray Cary\GT\6410407.1  
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## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 14094-009W01	<b>FOR FURTHER ACTION</b>	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. PCT/US03/29629	International filing date ( <i>day/month/year</i> ) 22 September 2003 (22.09.2003)	(Earliest) Priority Date ( <i>day/month/year</i> ) 20 September 2002 (20.09.2002)
Applicant LA JOLLA BIOSCIENCES		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 2 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the Report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (See Box II).

4. With regard to the title,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the abstract,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No. \_\_\_\_\_



as suggested by the applicant.



None of the figures



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.

Form PCT/ISA/210 (first sheet) (July 1998)

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/29629

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : A01N 43/04; A61K 31/715

US CL : 514/54, 58, 59, 60

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 514/54, 58, 59, 60

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
WEST, CAPLUS, MEDLINE, USPATFULL

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 5,100,878 A (GEBER) 31 March 1992 (31.03.1992), columns 1-4.	1-31
A		32-73
A	US 6,500,460 B1 (BERGERON et al) 31 December 2002 (31.12.2002), entire document.	1-73
Y	US 2002/0128227 A1 (HILDRETH) 12 September 2002 (12.09.2002), paragraphs 11-20.	1-73

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

## Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent published on or after the international filing date

"L" document which may throw doubt on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T"

later document published after the international filing date or priority date and not in conflict with the application but cited to undermine the principle or theory underlying the invention

"X"

document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y"

document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"Z"

document member of the same patent family

Date of the actual completion of the international search

16 January 2004 (16.01.2004)

Date of mailing of the international search report

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
Facsimile No. (703)305-3230

Authorized officer

Patrick T. Lewis

Telephone No. 703-308-0196

Form PCT/ISA/210 (second sheet) (July 1998)